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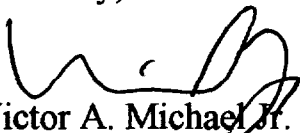
December 21, 1998

Magalie Roman Salas, Esquire
Secretary
Federal Communications Commission
Room 222
445 12th Street, S.W.
Washington, DC 20554

Dear Ms. Salas,

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Upton, Wyoming.

Sincerely,


Victor A. Michael Jr.
President
Mountain West Broadcasting
6807 Foxglove Drive
Cheyenne, Wyoming 82009

307-778-9318

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ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the matter of:)
)
Amendment of Section 73.202 (b))
) RM-_____
Table of Allotments)
)
FM Broadcast Stations)
)
(Upton, Wyoming)

PETITION FOR RULE MAKING

In this petition, Windy Valley Broadcasting is hereby requesting to allot channel 290C1 (105.9 Mhz) to Upton, Wyoming as its first local FM allotment.

INTRODUCTION

1. This statement is a petition for rule making to allot FM channel 290C1 (105.9 Mhz) to Upton and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 290C1 to Upton will have.

DISCUSSION

2. Upton is located in Northeast Wyoming. It is also located within Weston County, a county of some 6,518 persons. Upton has a population of 980 persons in accordance with the U.S. 1990 census.

3. The allotment of channel 290C1 to Upton will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Upton is located at Moorcroft, Wyoming. Moorcroft is located 32 kilometers from Upton.

It is obvious that from the above spacing that Upton is presently without local FM service.

4. Upton would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 32 Kilometers of Upton. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Upton area of emergency conditions caused by severe weather or other health hazards.

5. Channel 290C1 can be allotted to Upton and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

	<u>Present</u>	<u>Proposed</u>
Upton, Wyoming	——	290C1

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 290C1 and the pertinent adjacent channels to 290C1 have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study (N 44 - 07' - 44", W. 104 - 40' - 35") are that of a site located 5.2 kilometers northwest of the community of Upton. A site restriction of 5.2 kilometers northwest will be required to allot channel 290C1 to Upton. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Upton. These sites would also provide full minimum spacing requirements to other allotments.

CONCLUSION

7. It has been shown that Upton would benefit from the allotment of channel 290C1. It has also been shown that channel 290C1 can be allotted to Upton and meet all rules regarding spacing from other stations. Considering these two facts, Windy Valley Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 290C1 for Upton, Wyoming , 73.202.

8. Should channel 290C1 be allotted to Upton, I certify that I will file an application for a Construction Permit to operate an FM station for Upton, Wyoming.

CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: December 20, 1998

Respectfully submitted,



Victor A. Michael Jr.
President
Windy Valley Broadcasting
6807 Foxglove Drive
Cheyenne, WY 82009

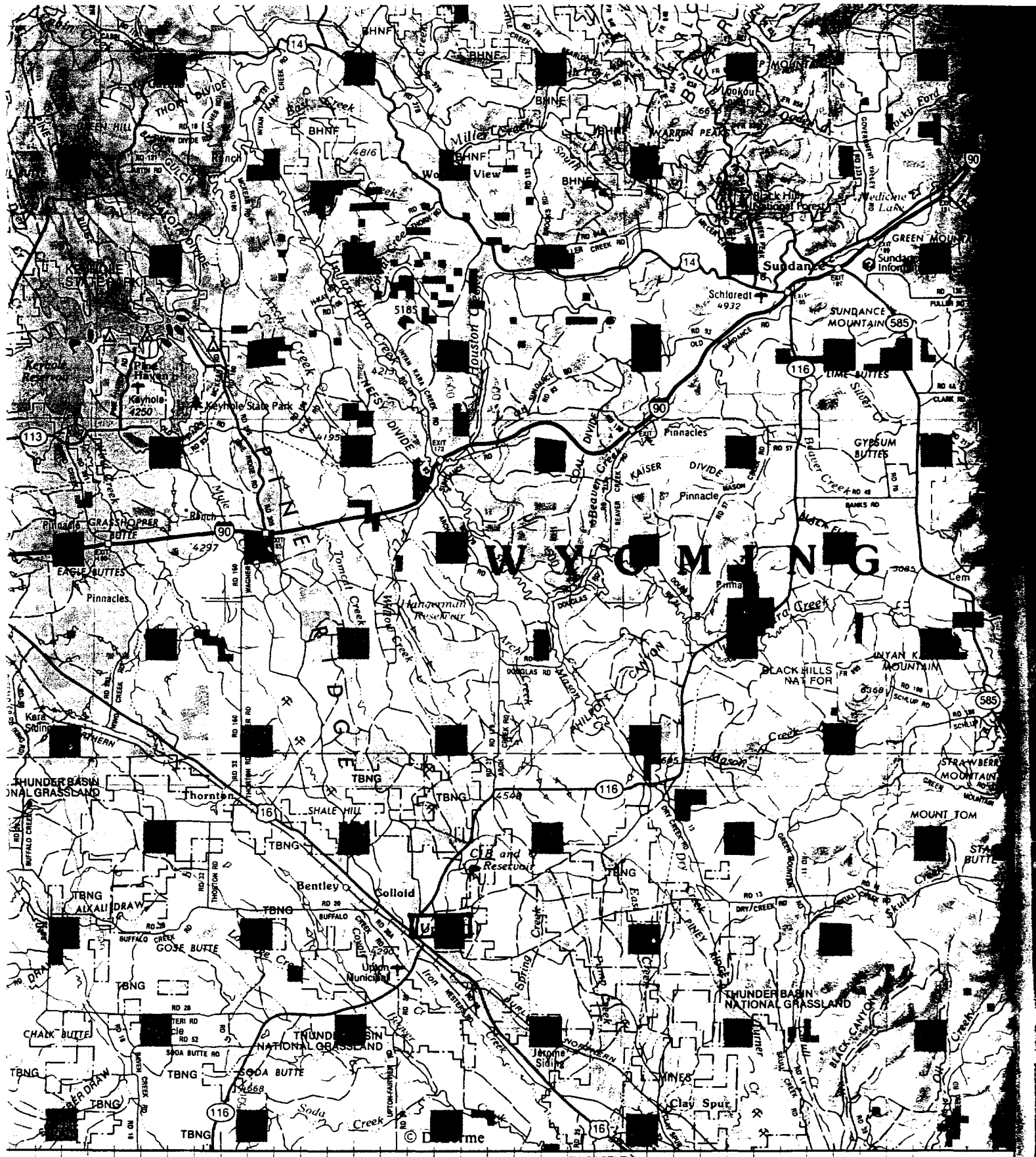
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MAPFM search of channel 290C1 (105.9 MHz), at N. 44 7 44, W. 104 40 35.

Searching Channel 290C1 (105.9 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Deadwood	SD	236	C	U	70.8	41.0	71.6°	29.8
KSQY	Deadwood	SD	236	C	L	70.8	41.0	71.6°	29.8
ALC	Alliance	NE	290	C1	U	285.3	245.0	152.9°	40.3
KAAQ	Alliance	NE	290	C1	L	285.3	245.0	152.9°	40.3
ALC	Shoshoni	WY	290	C	A	294.1	270.0	250.3°	24.1
ALC	Shoshoni	WY	290	C	A	294.1	270.0	250.3°	24.1
ALC	Rapid City	SD	292	C	V	115.9	105.0	92.7°	10.9
NEW	Rapid City	SD	292	C	A	123.2	105.0	104.7°	18.2
NEW	Rapid City	SD	292	C	A	114.5	105.0	91.7°	9.5
NEW	Rapid City	SD	292	C	A	114.9	105.0	94.6°	9.9
NEW	Rapid City	SD	292	C	A	110.4	105.0	99.2°	5.4
NEW	Rapid City	SD	292	C	A	105.0	105.0	113.9°	0.0
K292DN	Newcastle	WY	292	D	L	48.5	0.0	132.0°	48.5

FIGURE 1
CHANNEL SPACING STUDY
UPTON, WYOMING
WINDY VALLEY BROADCASTING



on Page 56

BLM Lands State Lands
See pages 36-37 for Statewide Locater Map

